

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Divisional Application of:
Mos, Robert J. and von Mueller, Clay

Serial No.: not yet assigned

Filed: herewith

Title: MEHTOD AND APPARATUS FOR
SECURING AND AUTHENTICATING
ENCODED DATA AND DOCUMENTS
CONTAINING SUCH DATA

Assistant Commissioner for Patents
BOX PATENT APPLICATION
Washington, D.C. 20231

PRELIMINARY AMENDMENT FOR DIVISIONAL APPLICATION

Dear Sir:

Please enter the following Preliminary Amendment into the new Divisional Application filed herewith:

N THE SPECIFICATION

At page 1, beginning of the first paragraph, please insert --This application is a divisional application of Continuing Prosecution Application (CPA) Serial Number 09/102,592 filed on June 22, 1998, which matured into U.S. Patent No. 6,260,146 issued on July 10, 2001.

IN THE CLAIMS:

Please add new claim 42 as follows:

42. A hybrid chip card incorporating a secondary spatially encoded memory device with enhanced security for storing information, comprising:

- (a) a memory device having data encrypted with a signature derived from a series of arbitrary spatial relationships of spatially encoded data or inherent noise;
- (b) a medium incorporating a spatially encoded memory device, fixed to the exterior of the chip card, for storing said spatially encoded data; and
- (c) a processing element to use the spatially encoded encrypted signature to access encrypted data in said memory device.

REMARKS

The parent application of this application is U.S. Application Serial No. 09/102,592, originally filed on June 22, 1998. All claims, namely claims 1-26 as filed in the parent application were cancelled and a new CPA was filed, having the same serial No. 09/102,592, and containing new claims 27-41. During prosecution of this CPA, claims 27-30, and 32-36 were allowed. **Claims 31, and 37-41 were cancelled by Examiner's Amendment and not as a result of prior art.** Two new divisional applications will be filed to cover the aforementioned claims cancelled through prosecution of the CPA parent application.

Therefore, this patent application is filed as a divisional application of the parent CPA application. The Applicant wishes to now pursue the claims cancelled in the former CPA parent application here, namely, former claim 31, now numbered as claim 42.

The entire specification as originally filed is hereby incorporated by reference into this new divisional of the parent CPA Serial No. 09/102,592. Please enter the claims, as set forth by this Preliminary Amendment, into this Divisional Application filed herewith. All claims are fully supported by the specification as originally filed, and no new matter has been added by

this Preliminary Amendment. Additionally, no matter that would have been new matter in the prior application has been introduced.

There has been **no change in inventorship relative to the originally filed CPA parent application Ser. No. 09/102,592** and for that reason, no new Oath and Declaration has been submitted herewith. Robert J. Mos and Clay von Mueller remain as the named co-inventors. As with the parent CPA Please see the file and Inventor Declarations filed therein, Denise Jeffreys is to remain removed as a named inventor as she played no material role in invention of any of the claims as filed, both here and in the parent CPA.

If it is felt for any reason that direct communication with Applicant's attorney would serve to advance prosecution of this application to allowance, the Examiner is invited to call, fax or e-mail the undersigned, Richard D. Clarke, at one of the below-listed numbers or e-mail address.

Dated: July 9, 2001

Respectfully submitted,
THE LAW OFFICE OF RICHARD D. CLARKE

By *Richard D. Clarke*
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